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IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his )  
capacity as ATTORNEY GENERAL )  
OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT, )  
in his capacity as the )  
TRUSTEE FOR NATURAL RESOURCES )  
FOR THE STATE OF OKLAHOMA, )  
Plaintiff, )  
vs. ) 4:05-CV-00329-TCK-SAJ  
TYSON FOODS, INC., et al, )  
Defendants. )

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VOLUME I OF THE VIDEOTAPED  
30(b)(6) DEPOSITION OF TIM ALSUP, produced as a  
witness on behalf of the Plaintiff in the above  
styled and numbered cause, taken on the 24th day of  
June, 2008, in the City of Tulsa, County of Tulsa,  
State of Oklahoma, before me, Lisa A. Steinmeyer, a  
Certified Shorthand Reporter, duly certified under  
and by virtue of the laws of the State of Oklahoma.

1 (Whereupon, the deposition  
2 began at 9:05 a.m.)

3 VIDEOGRAPHER: We are now on the Record for  
4 the deposition of Mr. Tim Alsup. Today is June 24,  
5 2008. The time is 9:04 a.m. Would counsel please 09:05AM  
6 identifies themselves for the Record?

7 MR. GARREN: Richard Garren for the State  
8 of Oklahoma with Pat Green from my office.

9 MR. BULLOCK: Louis Bullock for the State  
10 of Oklahoma. 09:05AM

11 MR. WALKER: Todd Walker for the Cargill  
12 defendants and with me is Theresa Hill.

13 MR. HIXON: Philip Hixon for Peterson  
14 Farms, Inc.

15 MR. BOND: Michael Bond for Tyson Foods, 09:05AM  
16 Tyson Chicken, Tyson Poultry and Cobb-Vantress.

17 MR. THOMPSON: Paul Thompson on behalf of  
18 the George's defendants.

19 VIDEOGRAPHER: Thank you. The witness may  
20 be sworn in. 09:05AM

21 MR. GARREN: Again, Paul, we're going to  
22 invoke the Rule of Sequestration. If you have  
23 anybody enter the room with you, please announce so  
24 we can make the Record.

25 MR. THOMPSON: No problem. 09:06AM

1 testimony.

2 A I believe we have used it.

3 Q All right. So it's not added to the barn;  
4 it's added to the feed; is that correct?

5 MR. WALKER: Same objection. 04:52PM

6 Q Phytase?

7 A It is my understanding, yes, it's my  
8 understanding.

9 MR. GARREN: Okay. I guess we're about out  
10 of time here. Let's go ahead and take a break and 04:53PM  
11 we'll get the final tape loaded.

12 VIDEOGRAPHER: We're now off the Record.  
13 The time is now 4:52 p.m.

14 (Following a short recess at 4:53 p.m.,  
15 the deposition was concluded at 5:07 p.m.)  
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1                   IN THE UNITED STATES DISTRICT COURT FOR THE  
2                   NORTHERN DISTRICT OF OKLAHOMA  
3  
4

5       W. A. DREW EDMONDSON, in his )  
6       capacity as ATTORNEY GENERAL )  
7       OF THE STATE OF OKLAHOMA and )  
8       OKLAHOMA SECRETARY OF THE )  
9       ENVIRONMENT C. MILES TOLBERT, )  
10      in his capacity as the )  
11      TRUSTEE FOR NATURAL RESOURCES )  
12      FOR THE STATE OF OKLAHOMA, )  
13   )

14                   Plaintiff, )  
15   )

16       vs. )

17   ) 4:05-CV-00329-TCK-SAJ  
18   )

19       TYSON FOODS, INC., et al, )  
20   )

21                   Defendants. )  
22       - - - - -  
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26   VOLUME II OF THE VIDEOTAPED  
27       30(b)(6) DEPOSITION OF TIM ALSUP, produced as a  
28       witness on behalf of the Plaintiff in the above  
29       styled and numbered cause, taken on the 25th day of  
30       June, 2008, in the City of Tulsa, County of Tulsa,  
31       State of Oklahoma, before me, Lisa A. Steinmeyer, a  
32       Certified Shorthand Reporter, duly certified under  
33       and by virtue of the laws of the State of Oklahoma.

1 (Whereupon, the deposition  
2 began at 9:05 a.m.)

3 VIDEOGRAPHER: We are you now on the Record  
4 for Volume II of the deposition of Tim Alsup. Today  
5 is June 25th, 2008. The time is 9:04 a.m. Would 09:05AM  
6 counsel please identify themselves for the Record?

7 MR. GARREN: Richard Garren for the State  
8 of Oklahoma, and with me from my office is Pat  
9 Green.

10 MR. BULLOCK: Louis Bullock for the State 09:05AM  
11 of Oklahoma.

12 MR. WALKER: Todd Walker for the Cargill  
13 defendants, and with me is John Tucker.

14 MR. BOND: Michael Bond for Tyson Foods,  
15 Tyson Chicken and Tyson Poultry and Cobb-Vantress. 09:05AM

16 MR. HIXON: Philip Hixon for Peterson  
17 Farms, Inc.

18 MR. FREEMAN: Bruce Freeman for Simmons.

19 MS. HILL: Theresa Hill for the Cargill  
20 defendants. 09:05AM

21 VIDEOGRAPHER: Thank you.

22 MR. GARREN: Who is on the phone today?  
23 Mr. Graves, make your announcement.

24 MR. GRAVES: This is James Graves on behalf  
25 of George's and George's Farms. 09:05AM

1       **A**       We have told -- yes, we have used that.

2       **Q**       So I think I've seen some type of a press  
3       release where there has been a total waste haul-out  
4       credit taken by the industry in some form. Is that  
5       what you're talking about, that project being  
6       connected to the Scenic Rivers?

04:29PM

7       **A**       If it was connected to the Scenic Rivers, yes,  
8       sir.

9       **Q**       And as far as you know, waste that's hauled by  
10      BMP is not part of that program or it is part of  
11      that program?

04:29PM

12      **A**       It is part of that program.

13      **Q**       Okay.

14               MR. GARREN: I have nothing else.

15               MR. WALKER: Nothing further.

04:29PM

16               MR. GARREN: Thank you, Mr. Alsup.

17               VIDEOGRAPHER: This concludes the  
18      deposition of Mr. Tim Alsup. We're now off the  
19      Record. The time is 4:29 p.m.

20               (Whereupon, the deposition was  
21      concluded at 4:29 p.m.)

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IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his )  
capacity as ATTORNEY GENERAL )  
OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT, )  
in his capacity as the )  
TRUSTEE FOR NATURAL RESOURCES )  
FOR THE STATE OF OKLAHOMA, )  
Plaintiff, )  
vs. ) 4:05-CV-00329-TCK-SAJ  
TYSON FOODS, INC., et al, )  
Defendants. )

-----  
VOLUME I OF THE VIDEOTAPED  
30(b)(6) DEPOSITION OF TIMOTHY MAUPIN,  
produced as a witness on behalf of the Plaintiff in  
the above styled and numbered cause, taken on the  
21st day of July, 2008, in the City of Tulsa, County  
of Tulsa, State of Oklahoma, before me, Lisa A.  
Steinmeyer, a Certified Shorthand Reporter, duly  
certified under and by virtue of the laws of the  
State of Oklahoma.

1 (Whereupon, the deposition began at  
2 9:06 a.m.)

3 VIDEOGRAPHER: We are now on the Record for  
4 the deposition of Mr. Timothy Maupin. Today is July  
5 21st, 2008. The time is 9:07 a.m. Would counsel 09:07AM  
6 please identify themselves for the Record?

7 MR. GARREN: Richard Garren for the State  
8 of Oklahoma.

9 MR. BULLOCK: Louis Bullock for the State  
10 of Oklahoma. 09:07AM

11 MS. HILL: Theresa Hill for the Cargill  
12 defendants, and with me I have Chris Dolan and a law  
13 clerk, Eric Money.

14 MS. THOMPSON: Eric Thompson for the Tyson  
15 defendants. 09:07AM

16 MR. MIRKES: Craig Mirkes for the Peterson  
17 Farms.

18 MS. TUCKER: K. C. Tucker for the George's  
19 entities.

20 VIDEOGRAPHER: Thank you. The witness may 09:08AM  
21 be sworn in.

22 TIMOTHY MAUPIN  
23 having first been duly sworn to testify the truth,  
24 the whole truth and nothing but the truth, testified  
25 as follows:



1       **A**       At which location?

2       **Q**       Any.

3       **A**       Yes. The Virginia growers are --

4       **Q**       I'm sorry, I thought I said IRW. Let's move

5       to the IRW. You've already told me what is going on 04:43PM

6       in Virginia. My concern is what accountability or

7       tracking of land application for Cargill contract

8       growers is occurring in the IRW.

9               MS. HILL: Object to the form.

10      **A**       We don't track the poultry litter on our 04:43PM

11      contract producers' farms. That's part of their

12      site-specific plan, and they're responsible for

13      nutrient management and litter storage on the farms.

14      **Q**       Okay. I've been given a notice that we've got

15      to change tapes, so let's stop and do that. 04:44PM

16               VIDEOGRAPHER: We're now off the Record.

17      The time is now 4:44 p.m.

18               (Following a short recess at 4:44 p.m.,

19      the deposition was recessed at 5:01 p.m.)

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1                   IN THE UNITED STATES DISTRICT COURT FOR THE  
2                                 NORTHERN DISTRICT OF OKLAHOMA  
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4

5       W. A. DREW EDMONDSON, in his )  
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9       ENVIRONMENT C. MILES TOLBERT, )  
10      in his capacity as the )  
11      TRUSTEE FOR NATURAL RESOURCES )  
12      FOR THE STATE OF OKLAHOMA, )

13                                 Plaintiff, )  
14   )

15       vs. )

16   ) 4:05-CV-00329-TCK-SAJ  
17   )

18       TYSON FOODS, INC., et al, )  
19   )

20                                 Defendants. )  
21       - - - - -  
22       - - - - -  
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25       - - - - -

26                                 VOLUME II OF THE VIDEOTAPED  
27       30(b)(6) DEPOSITION OF TIMOTHY MAUPIN,  
28       produced as a witness on behalf of the Plaintiff in  
29       the above styled and numbered cause, taken on the  
30       22nd day of July, 2008, in the City of Tulsa, County  
31       of Tulsa, State of Oklahoma, before me, Lisa A.  
32       Steinmeyer, a Certified Shorthand Reporter, duly  
33       certified under and by virtue of the laws of the  
34       State of Oklahoma.

1 (Whereupon, the deposition began at  
2 8:31 a.m.)

3 VIDEOGRAPHER: We are now on the Record for  
4 Volume II of the deposition of Mr. Timothy Maupin.  
5 Today is July 22nd, 2008. The time is 8:31 a.m.  
6 Would counsel please identify themselves for the  
7 Record?

08:31AM

8 MR. GARREN: Richard Garren for the State  
9 of Oklahoma.

10 MR. BULLOCK: Louis Bullock for the State  
11 of Oklahoma.

08:31AM

12 MS. HILL: Theresa Hill for the Cargill  
13 defendants, and I have with me Chris Dolan.

14 MS. THOMPSON: Erin Thompson for the Tyson  
15 defendants.

08:31AM

16 MR. MIRKES: Craig Mirkes for Peterson  
17 Farms.

18 MS. TUCKER: K. C. Tucker for the George's  
19 entities.

20 VIDEOGRAPHER: Thank you.

08:32AM

21 TIMOTHY MAUPIN  
22 having first been duly sworn to testify the truth,  
23 the whole truth and nothing but the truth, testified  
24 as follows:

25 DIRECT EXAMINATION

1 that?

2 **A** I can't answer that question. I don't know.

3 MR. GARREN: I'll waive or pass the  
4 witness.

5 MS. HILL: I have no questions. 05:41PM

6 VIDEOGRAPHER: This concludes the  
7 deposition of Mr. Timothy Maupin. We're now off the  
8 Record. The time is 5:41 p.m.

9 (Whereupon, the deposition was  
10 concluded at 5:41 p.m.) 05:41PM

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